

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

SIGALIT YEHUDA,	:	
	:	21-cv-08921 (MGG)
Plaintiff,	:	
	:	
v.	:	NOTICE OF MOTION
	:	
JOSSEF KAHLON	:	
	:	
Defendant/Counterclaim Plaintiff,	:	
	:	
v.	:	
	:	
AVRAHAM YEHUDA,	:	
	:	
Counterclaim Defendant.	:	
	:	

PLEASE TAKE NOTICE, that upon the annexed Declaration of Steven R. Haffner, dated May 13, 2025, and upon all of the pleadings and proceedings heretofore had herein, Plaintiff Sigalit Yehuda will move this Court, before Margaret M. Garnett, United States District Judge, in Courtroom 906 of the United States Courthouse located at 40 Foley Square, New York, NY 10007 on the 24th day of June, 2025, at 9:30 a.m., or as soon thereafter as counsel be heard, for an Order:

- (a) Pursuant to 18 U.S.C. § 401, Federal Rule of Civil Procedure 37 (b)(2)(A), spoliation of evidence, and this Court's inherent power: (i) prohibiting Defendant from presenting evidence on the issue of unequal distributions for the years 2008 through 2011; and (ii) deeming that issue to be established in accordance with Plaintiff's claims for the purposes of this action);
- (b) Pursuant to Federal Rule of Civil Procedure 37, dismissal of Defendant's counterclaims for his failure to prosecute the matter and participate in discovery in good faith;
- (c) Pursuant to Federal Rule of Civil Procedure 37 (b), 18 U.S.C. § 401 and this Court's inherent power to manage its affairs, awarding to Plaintiff, and directing Defendant and his counsel jointly and severally to pay Plaintiff, her reasonable expenses, including attorneys' fees, caused by their discovery and other

misconduct; and,

(d) Awarding Plaintiff such other and further relief as the Court may deem just and proper;

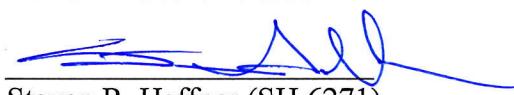
PLEASE TAKE FURTHER NOTICE, that upon the aforesaid pleadings and proceedings and at the same time and place, Plaintiff and Counterclaim Defendant Avraham Yehuda will move this Court for an Order:

(a) Pursuant to Federal Rule of Civil Procedure 12(c), for judgment on the pleadings dismissing the Second, Fifth and Eighth Counterclaims asserted in Defendant's Answer;

(b) and for such other and further relief as the Court may deem just and proper.

Dated: Mamaroneck, New York
May 13, 2025

GORDON & HAFFNER, LLP
*Attorneys for Plaintiff Sigalit
Yehuda and Counterclaim
Defendant Avraham Yehuda*

By: 
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